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January 3, 2017



Mr. Charles O. Knight, Manager
c/o Mr. James L. Brown, Jr., Registered Agent
GS 337 8th Street N, LLC
635 43rd Street Blvd W
Palmetto, FL 34221

Re: Notice of Violation: - Five Adjacent Residences, 333, 333½, 337, 341, & 341½ 8th Street North

CERTIFIED MAIL: 7013 0600 0001 8189 8851

Mr. Knight:

Pursuant to Chapters 78-601 and 90-403, Laws of Florida, and the rules promulgated therein, which authorizes and empowers the Pinellas County Air Quality Division to control, abate and prohibit pollution of the air in Pinellas County, Florida, you are hereby notified of findings which indicate that violations of the Pinellas County Code has taken place as follows:

1. Pinellas County Code, Section 58-149. National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation

(a) Applicability. To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II non-friable ACM.

Specifically, GS 337 8th Street N, LLC caused demolition activities to be performed and failed to thoroughly inspect the referenced facility for asbestos containing materials prior to the demolition operation. Inspection by Pinellas County Air Quality Division (PCAQD) personnel on November 21, 2016 revealed the following approximate quantities of suspect asbestos containing building materials were disturbed:

- 2,004 square feet of cement siding
- 1,000 square feet of siding underlayment
- 2,000 square feet of drywall/ plaster systems
- 2,500 square feet of asphalt roof shingles and underlayment
- An unknown quantity of multiple types of sheet vinyl flooring

2. Pinellas County Code, Section 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation
Notification requirements. Each owner or operator of a demolition or renovation activity to which this section applies shall:

Pinellas County Air Quality
509 East Ave. S. • Suite 138
Clearwater, FL 33756
Main Office: (727) 464-4422
FAX: (727) 464-4420
V/TDD: (727) 464-4062

(1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(3) Postmark or deliver the notice as follows:

(i) At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section. If the operation is as described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.

Specifically, GS 337 8th Street N, LLC caused demolition operations at the referenced facility, without first submitting written notification to the Pinellas County Air Quality Division ten working days prior to commencement of demolition activities. Inspection conducted by PCAQD personnel revealed three residences, located at 333, 333 ½, and 341 8th Street North, had been demolished and plans were in place to demolish two other adjacent residences, located at 337 and 341 ½ 8th Street North.

3. Pinellas County Code, Chapter 58, Section 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation.

(c)(1) Remove all Regulated Asbestos Containing Material (RACM) from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal.

Specifically, asbestos containing cement siding was not removed from the referenced facility prior to the commencement of demolition activities. Demolition methods resulted in significant breakage and pulverization of the asbestos containing cement siding, rendering it RACM. Inspection by PCAQD personnel observed crumbled and pulverized cement siding in and around the debris piles located at the referenced facility.

4. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, SUBPART M, 61.145 Standard for demolition and renovation.

(c)(3) When Regulated Asbestos Containing Material (RACM) is stripped from a facility component while it remains in place in the facility, adequately wet the RACM during the stripping operation;

A total of approximately 2,004 square feet of RACM was stripped from the referenced facility without adequately wetting the material. An inspection by PCAQD personnel observed dry disturbed RACM in and around the debris piles located at the referenced facility.

5. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation.

(c)(6) Adequately wet the Regulated Asbestos Containing Material and ensure that it remains wet until collected and contained or treated in preparation for disposal.

Specifically, approximately 2,004 square feet of previously stripped RACM did not remain wet and was not properly collected or contained for disposal. PCAQD on-site inspection determined no wetting of the stripped RACM was performed. Additionally, the dry asbestos containing waste material was in and around the debris piles located at the referenced facility.

6. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.145 Standard for demolition and renovation.

(c) (4) After a facility component covered with, coated with, or containing RACM has been taken out of the facility as a unit or in sections pursuant to paragraph (c)(2) of this section, it shall be stripped or contained in leak-tight wrapping, except as described in paragraph (c)(5) of this section.

Specifically, approximately 2,004 square feet of disturbed RACM was not contained in leak-tight wrapping until transport and disposal. Stripped, dry RACM waste was found in and around the debris piles located at the referenced facility.

7. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, SUBPART M, 61.150 Standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations.

(a) Discharge no visible emissions to the outside air during the collection, processing (including incineration), packaging, or transporting of any asbestos-containing waste material generated by the source, or use one of the emission control and waste treatment methods specified in paragraphs (a)(1) through (4) of this section.

Specifically, dry and disturbed asbestos containing waste material from the stripping operations of approximately 2,004 square feet of asbestos containing material was observed in and around the debris piles located at the referenced facility.

8. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, SUBPART M, 61.145 Standard for demolition and renovation.

(c) (8) Effective 1 year after promulgation of this regulation, no RACM shall be stripped, removed, or otherwise handled or disturbed at a facility regulated by this section unless at least one on-site representative, such as a foreman or management-level person or other authorized representative, trained in the provisions of this regulation and the means of complying with them, is present.

Specifically, a trained on-site representative was not present during the removal of approximately 2,004 square feet of RACM.

9. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, Subpart M, 61.150 Standard for waste disposal for manufacturing, fabricating, demolition, renovation, and spraying operations.

(b) All asbestos-containing waste material shall be deposited as soon as is practical by the waste generator at: (1) A waste disposal site operated in accordance with the provisions of § 61.154; and (d) For all asbestos-containing waste material transported off the facility site: (2) Provide a copy of the waste shipment record, described in paragraph (d)(1) of this section, to the disposal site owners or operators at the same time as the asbestos-containing waste material is delivered to the disposal site.

Specifically, dry RACM waste material from the demolition operation was transported as construction debris to Angelo's Recycled Materials. This material was never identified as regulated asbestos containing waste. These loads were potentially recycled at Angelo's; they were not buried in the proper manner, and the operator of the facility was not notified that this material contained asbestos.

10. Pinellas County Code, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, SUBPART M, 61.145 Standard for demolition and renovation.

(a)(iv) Label the containers or wrapped materials specified in paragraph (a)(1)(iii) of this section using warning labels specified by Occupational Safety and Health Standards of the Department of Labor, Occupational Safety and Health Administration (OSHA) under 29 CFR 1910.1001(j)(4) or 1926.1101(k)(8). The labels shall be printed in letters of sufficient size and contrast so as to be readily visible and legible.

(v) For asbestos-containing waste material to be transported off the facility site, label containers or wrapped materials with the name of the waste generator and the location at which the waste was generated.

Specifically, an inspection by Pinellas County Air Quality Division personnel did not find any of the waste materials wrapped or labeled as per regulation requirements.

11. Pinellas County Code, Chapter 58, Sec. 58-149(a). National emission standard for asbestos 40 CFR, Part 61, SUBPART M, 61.145 Standard for demolition and renovation.

(5)(c) Mark vehicles used to transport asbestos-containing waste material during the loading and unloading of waste so that the signs are visible. The markings must conform to the requirements of §§61.149(d)(1) (i), (ii), and (iii).

Specifically, investigation by Pinellas County Air Quality Division personnel revealed markings (signage) were not placed on work vehicles.

Based on the facts stated above, and on the results of a November 21, 2016 inspection at the Five Adjacent Residences, located at 333, 333½, 337, 341 & 341½ 8th Street North, St. Petersburg, this serves as a Notice of Violation.

Respond By Phone and in Writing within 10 Days

Please call Cari Burchfield upon receipt of this letter to discuss the resolution of the violations for which GS 337 8th Street N, LLC may be responsible and follow-up in writing explaining the circumstances that may have led to the alleged violations and propose any corrective action deemed necessary to bring the facility back in compliance. You have the opportunity to request a conference if you feel that the violations did not occur and can provide supporting evidence. The initial discussion with the Division and follow-up written response will not absolve GS 337 8th Street N, LLC of potential civil penalty.

If GS 337 8th Street N, LLC does not submit the follow-up written response within ten (10) calendar days of receipt of this Notice of Violation, a Consent Order will be issued specifying compliance conditions along with a penalty of \$45,413.

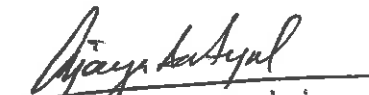
Potential Enforcement Action

Operation of a source in violation of Pinellas County Code, Chapter 58, may result in liability for damage and restoration and judicial imposition of a civil penalty up to a maximum of \$10,000 per violation, per day, pursuant to chapters 78-601 and 90-403, Laws of Florida. Continuation of activities in violation of existing regulations can result in fines being levied for each and every day a violation takes place. Violations may be resolved through entry into a Consent Order or formal enforcement action.

Failure to respond to this notice, or comply within the specified time frames, may result in commencement of civil, administrative or criminal action for injunctive relief and the assessment of civil and/or criminal penalties as provided by this Code, and the Florida Statutes. Also, the State of Florida, Department of Environmental Protection, reserves the right to take enforcement actions related to the potential violations cited above.

If you have any questions regarding this matter, please contact Cari Burchfield at (727) 464-4422.

Sincerely,



Ajaya Satyal
Air Quality Division Manager

Copy: Case File, Read File

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